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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

5 FARAJI O. BLAKENEY,

6 Petitioner,

7 v.

8 PATRICK GLEBE,

9 Respondent.

NO. C12-5269 RBL/KLS

ORDER GRANTING PETITIONER'S
MOTION TO AMEND AND
RESPONDENT'S MOTION FOR
EXTENSION

10 Before the Court is Petitioner's Motion to Amend Petition for Writ of Habeas Corpus.
11 ECF No. 12. Petitioner filed an amended petition with memorandum and affidavit in support.
12
13 *Id.*

14 Also before the Court is Respondent's Motion for Extension of Time to File an Answer
15 to Petition for Writ of Habeas Corpus. ECF No. 13. Respondent's Answer was due on May
16 31, 2012. As of the date Respondent filed his motion, he had not yet received any court files
17 from the Washington Supreme Court in *State v. Blakeney*, No. 83456-3, which involved the
18 petition for review on direct appeal, and *In re Blakeney*, No. 86556-6, which concerned
19 Petitioner's motion for discretionary review of the Court of Appeals' denial of his personal
20 restraint petition.
21

22 The docket indicates that Petitioner filed a motion to modify the Supreme Court
23 Commissioner's ruling denying review and the Washington Supreme Court ultimately denied
24 discretionary review in both matters. However, Respondent will need both files in order to
25
26

1 address whether Petitioner in fact exhausted his state remedies by fairly presenting his current
2 claims to the state's highest court.

3 Respondent requested a thirty day extension, until July 2, 2012. For the reasons stated
4 and because Petitioner has now moved to amend his petition, the Court finds that the request is
5 reasonable and that more than the thirty days requested by Respondent should be allowed.

6 Although the motion for extension is noted for June 15, 2012, the Court finds that Petitioner
7 will not be prejudiced by the requested extension.
8

9 Accordingly, it is **ORDERED**:

10 1. Petitioner's motion to amend (ECF No. 12) and Respondent's motion for an
11 extension of time (ECF No. 13) are **GRANTED**. Respondent shall file his Answer **on or**
12 **before August 1, 2012**. The Answer will be treated in accordance with Local Rule CR 7.
13 Accordingly, upon receipt of the Answer the Clerk will note the matter for consideration on the
14 fourth Friday after the answer is filed, Petitioner may file and serve a response not later than on
15 the Monday immediately preceding the Friday appointed for consideration of the matter, and
16 Respondent may file and serve a reply brief not later than the Friday designated for
17 consideration of the matter.
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19 2. The Clerk shall send copies of this Order to Petitioner and counsel for
20 Respondent.
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22 **DATED** this 11th day of June, 2012.

23 
24 Karen L. Strombom
25 United States Magistrate Judge
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